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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/980,271

11/30/2001

Alain Delpuch

5266-09100

1037

44015

7590

02/27/2009

OPTV/MEYERTONS

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EXAMINER

BROWN, RUEBEN M

ART UNIT

PAPER NUMBER

2424

MAIL DATE

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02/27/2009

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09980271	11/30/01	DELPUCH, ALAIN	5266-09100

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ART UNIT	PAPER
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Commissioner for Patents

Response to the Order Remanding Appeal to Examiner, mailed 11/3/2008.

Method claims 4-8 were analyzed under 35 U.S.C 101. It is recognized that, in order to be statutory, a process claim must be 1) tied to a particular machine or apparatus, or 2) transform a particular article into a different state or thing. It is also recognized that a general purpose computer may be converted into a particular computer through the operation of software on the computer. In re Alappat, 31 USPQ2d 1545 (1994). For the instant invention, (Claim 4) '...the application presenting a PIN entry field in response to said request; a security manager: receiving a request for user authentication from the application; applying information to the application about the PIN code entering key-pressing operations by the user, wherein the entered PIN code is not supplied to the application; comparing an entered PIN code of the user with a registered PIN code;...' is inherently tied at least to a key-pressing device. For these reasons, the claimed process is considered as being tied to a particular machine, thus meeting the "tied to" test. The steps recited in the claimed process/method would not be reasonably broadly interpreted to encompass a human performing the steps - as the purpose of the claimed invention is not reasonably accomplished through a non-machine implementation.

/Chris Kelley/  
Supervisory Patent Examiner, Art Unit 2424